

United States v. Kennebec Scrap Iron, Inc.

Complaint – Appendix 1

Appendix 1: Oakland - Third Claim For Relief**Benchmark Monitoring - Northern Outfall**

	<u>Year</u>	<u>Quarter</u>	<u>Failed to Conduct</u>	<u>Failed to Properly Conduct Quarterly Benchmark Monitoring</u> (Reason stated below)	<u>Kennebec Scrap Iron, Inc.</u>
					Admit, Deny, or Lacks Knowledge or Information
a.	2011	Q3		✓ - Not a QSE. TSS/SS/pH Analysis only. No TPH.	
b.	2011	Q4		✓ - Not a QSE. TSS/SS/pH Analysis only. No TPH.	
c.	2012	Q1	✓		
d.	2012	Q2		✓ - Not a QSE. No TPH. DRO Analysis. Improper compositing of outfalls 1 and 2 for laboratory analysis of TSS, pH and DRO.	
e.	2012	Q3	✓		
f.	2012	Q4		✓ - Not a QSE. Improper compositing of outfalls 1 and 2 for laboratory analysis of TSS, pH and TPH.	
g.	2013	Q1	✓		
h.	2013	Q2	✓		
i.	2013	Q3		✓ - Not a QSE. No TPH. DRO analysis. Form does not indicate which outfall was sampled.	

*Through 2011 Q2, "QSE" means a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 in rainfall) storm event.

**After 2011 Q2, "QSE" stands for a qualifying storm event; which means a storm event that is either precipitation, ice or snow melt that produces a measurable discharge at an outfall that occurs at least 72 hours from a previous measurable storm event.

***"Not a QSE" means although Defendants' monitoring forms indicate monitoring was conducted after a qualifying storm event; it was not.

****"DRO" stands for Diesel Range Organics. It is insufficient because Maine did not approve testing for DRO as a substitute for Total Petroleum Hydrocarbons ("TPH").

Appendix 1: Oakland - Third Claim For Relief**Benchmark Monitoring - Driveway Outfall**

	<u>Year</u>	<u>Quarter</u>	<u>Failed to Conduct</u>	<u>Failed to Properly Conduct Quarterly Benchmark Monitoring</u> (Reason stated below)	<u>Kennebec Scrap Iron, Inc.</u>
					Admit, Deny, or Lacks Knowledge or Information
a.	2011	Q3		✓ - Not a QSE. TSS/SS/pH Analysis only. No TPH.	
b.	2011	Q4		✓ - Not a QSE. TSS/SS/pH Analysis only. No TPH.	
c.	2012	Q1	✓		
d.	2012	Q2		✓ - Not a QSE. No TPH. DRO Analysis. Improper compositing of outfalls 1 and 2 for laboratory analysis of TSS, pH and DRO.	
e.	2012	Q3	✓		
f.	2012	Q4		✓ - Not a QSE. Improper compositing of outfalls 1 and 2 for laboratory analysis of TSS, pH and TPH.	
g.	2013	Q1	✓		
h.	2013	Q2	✓		
i.	2013	Q3		✓ - Not a QSE. No TPH. DRO analysis. Form does not indicate which outfall was sampled.	

*Through 2011 Q2, "QSE" means a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 in rainfall) storm event.

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****"DRO" stands for Diesel Range Organics. It is insufficient because Maine did not approve testing for DRO as a substitute for Total Petroleum Hydrocarbons ("TPH").